

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Vice Chair Verdell Jackson, on April 5, 2011 at 9:00 AM, in Room 422 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Verdell Jackson, Vice Chair (R)  
Sen. Tom Facey (D)  
Sen. Frederick (Eric) Moore (R)  
Sen. Carmine Mowbray (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Mitch Tropila (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Joe Balyeat, Chair (R)  
Sen. Bruce Tutvedt (R)  
Sen. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 186, 3/30/2011; HB 188, 3/30/2011; SR 18, 3/30/2011; SR 16, 3/30/2011

Executive Action: SR16, Be Adopted; HB 188 and HB 354, partial Executive Action

**HEARING ON HB 186**

**Opening Statement by Sponsor:**

00:01:11 Rep. Chuck Hunter (D), HD 79, opened the hearing on HB 186. Continue allocation to Worksafe Montana thru assessment on work comp insurer.

[\*\*EXHIBIT\(bus76a01\)\*\*](#)

[\*\*EXHIBIT\(bus76a02\)\*\*](#)

**Proponents' Testimony:**

00:08:10 Jason Miller, Co-Vice Chair Labor Management Advisory Council (LMAC)

00:09:03 Bob Worthington, Co-Vice Chair LMAC; Montana Contractor's Compensation Fund (MCCF)

00:09:53 Bruce Spencer, Property Casualty Insurers Association of America (PCIAA); also speaking for Jacqueline Lenmark, American Insurance Association (AIA)

00:10:27 Pam Bucy, Department of Labor and Industry (DOLI)

[\*\*EXHIBIT\(bus76a03\)\*\*](#)

00:11:45 Barry 'Spook' Stang, Executive Vice President, Montana Motor Carrier's Association (MMCA)

00:12:22 Nancy Butler, Montana State Fund (MSF)

00:12:48 Vicki Cocchiarella, Montana Hospital Association (MHA), Montana Medical Association (MMA)

00:14:17 Leah Tietz, Director, Montana University System's Self-Funded Insurance Program; Board Member, Worksafe Montana

00:17:24 Mona Jamison, Montana Chapter, American Physical Therapy Association

[\*\*EXHIBIT\(bus76a04\)\*\*](#)

00:18:34 Al Smith, Montana Trial Lawyers Association (MTLA); Board Member, Worksafe Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:19:58 Sen. Moore

00:20:24 Rep. Hunter, redirect, without objection

00:21:50 Ms. Tietz, MUS

00:24:07 Sen. Moore

00:24:17 Ms. Tietz, redirect, without objection

00:24:31 Ms. Butler, MSF

00:25:05 Sen. Vuckovich

00:26:30 Mr. Miller, LMAC

00:27:37 Sen. Facey

00:28:44 Ms. Tietz, redirect, without objection

00:30:15 Mr. Smith, MTLA

00:30:50 Sen. Facey

00:30:53 Rep. Hunter

00:31:09 Sen. Balyeat entered the meeting.

00:31:56 Sen. Facey

00:32:50 Ms. Butler

00:34:07 Sen. Moore

00:34:40 Vice Chair Jackson

**Closing by Sponsor:**

00:34:50 Rep. Hunter

00:38:56 Vice Chair Jackson closed the Hearing. Sen. Balyeat took over as Chair.

**HEARING ON HB 188**

**Opening Statement by Sponsor:**

00:38:44 Rep. Cleve Loney (R), HD 25, opened the hearing on HB 188. Provide licensure and regulation of real estate appraisal management companies.

**Proponents' Testimony:**

00:39:49 Darwin Ernst, Montana Chapter, Appraisal Institute

[\*\*EXHIBIT\*\*](#)(bus76a05)

00:40:51 Steve Yeakel, Montana Independent Bankers (MIB)

00:43:26 Steve Turkiewicz, Montana Bankers Association

00:44:30 Sue Hoell, self; Licensed Real Estate Appraiser

**Opponents' Testimony:** None

**Informational Testimony:**

00:45:20 Billie Veerkamp, Board of Real Estate Appraisers

[\*\*EXHIBIT\*\*](#)(bus76a06)

**Questions from Committee Members and Responses:**

00:46:00 Sen. Facey

00:46:15 Mr. Ernst

00:46:52 Sen. Tropila

00:46:56 Rep. Loney

00:47:23 Sen. Facey

00:48:03 Mr. Yeakel

00:48:45 Sen. Tropila

00:48:59 Rep. Loney

**Closing by Sponsor:**

00:50:23 Rep. Loney

00:51:07 Chairman Balyeat

**HEARING ON SR 18**

**Opening Statement by Sponsor:**

00:52:10 Sen. Tom Facey (D), SD 48, opened the hearing on SR 18. Confirm appointee Elizabeth Best to State Compensation Insurance Fund Board.

**Proponents' Testimony:**

00:53:36 Patti Keebler, Board and Commission Appointments, Office of the Governor

**EXHIBIT(bus76a07)**

00:56:22 Al Smith, self; Montana Trial Lawyers Association (MTLA)

00:57:03 Elizabeth Best, self

00:57:25 Sen. Tutvedt entered the hearing.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:57:52 Sen. Mowbray  
00:59:30 Chairman Balyeat  
00:59:41 Sen. Moore  
00:59:51 Chairman Balyeat  
01:00:15 Sen. Tropila  
01:00:33 Sen. Tutvedt  
01:00:51 Chairman Balyeat  
01:00:58 Sen. Tutvedt  
01:05:50 Ms. Best  
01:06:47 Sen. Mowbray  
01:07:20 Chairman Balyeat  
01:07:28 Ms. Best  
01:07:38 Ms. Murdo  
01:08:07 Chairman Balyeat  
01:08:16 Sen. Facey  
01:11:16 Sen. Tutvedt  
01:13:42 Ms. Best  
01:13:55 Sen. Stewart-Peregoy  
01:14:18 Chairman Balyeat  
01:14:21 Sen. Tropila  
01:14:29 Ms. Best  
01:15:07 Sen. Vuckovich  
01:18:38 Chairman Balyeat  
01:18:45 Sen. Tutvedt  
01:18:50 Sen. Mowbray  
01:21:44 Ms. Keebler  
01:22:04 Chairman Balyeat

01:22:35 Ms. Keebler  
01:23:07 Sen. Tropila  
01:24:55 Ms. Best

**Closing by Sponsor:**

01:25:35 Sen. Facey

**HEARING ON SR 16**

**Opening Statement by Sponsor:**

01:27:23 Sen. Tom Facey (D), SD 48, opened the hearing on SR 16. Confirm certain Governor's appointees.

**Proponents' Testimony:**

01:28:33 Patti Keebler, Board and Commission Appointments, Office of the Governor

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:29:24 Sen. Tutvedt  
01:33:43 Ms. Keebler  
01:35:01 Chairman Balyeat  
01:35:06 Ms. Murdo  
01:35:46 Sen. Tutvedt  
01:35:55 Chairman Balyeat

**Closing by Sponsor:**

01:36:04 Sen. Facey  
01:37:39 Chairman Balyeat  
01:38:01 Recess  
01:46:22 Resume. Sen. Tutvedt did not return to the meeting.

**Miscellaneous Discussion:**

01:46:27 Chairman Balyeat  
01:46:33 Ms. Murdo  
01:47:00 Sen. Facey  
01:47:09 Sen. Moore

**EXECUTIVE ACTION ON HB 188**

01:47:14 Chairman Balyeat

01:47:22 **Motion:** Sen. Facey moved that **HB 188 BE CONCURRED IN.**

**Discussion:**

01:47:45 Ms. Murdo

01:48:49 Chairman Balyeat

01:49:00 Ms. Murdo (This refers to Exhibit 6)

01:49:33 Sen. Tropila

01:49:39 Chairman Balyeat

01:49:42 Sen. Facey **WITHDREW THE MOTION** on HB 188.

**EXECUTIVE ACTION ON SR 16**

01:50:05 **Motion:** Sen. Facey moved that **SR 16 BE ADOPTED.**

**Discussion:**

01:50:32 Sen. Mowbray

01:51:17 Chairman Balyeat

01:51:32 Ms. Murdo

01:52:48 Sen. Facey

01:52:51 Ms. Murdo

01:53:09 Chairman Balyeat

01:53:38 Sen. Facey

01:53:48 Ms. Murdo

01:54:20 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 354**

01:55:21 Chairman Balyeat

01:55:54 **Motion:** Sen. Mowbray moved that **HB 354 BE CONCURRED IN.**

01:56:10 **Motion:** Sen. Mowbray moved that **HB 354 BE AMENDED.**

**EXHIBIT**(bus76a08)

**Discussion:**

01:56:49 Ms. Murdo

01:57:48 Sen. Tropila

01:58:10 Ms. Murdo

02:00:02 Chairman Balyeat

02:00:28 Sen. Mowbray

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02:01:44 Sen. Stewart-Peregoy  
02:03:16 Ms. Murdo  
02:03:48 Sen. Facey  
02:04:32 Chairman Balyeat  
02:04:58 Sen. Tropila  
02:05:18 Sen. Mowbray  
02:06:18 Sen. Moore  
02:06:44 Sen. Mowbray  
02:07:08 Sen. Tropila  
02:08:00 Chairman Balyeat  
02:08:55 Sen. Tropila  
  
02:09:07 Sen. Mowbray **WITHDREW THE MOTIONS on HB 354.**  
  
02:09:27 Chairman Balyeat

**Note:** Ms. Murdo handed out information for tomorrow's Hearing on SR 19 regarding Dore Schwinden, the Governor's appointee as Department of Commerce Director.

**EXHIBIT(bus76a09)**

**ADJOURNMENT**

Adjournment: 11:12 A.M.

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([bus76aad.pdf](#))**